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Notice of Allowability	Application No.	Applicant(s)	
	10/803,096	BAUTZ, WALTER	
	Examiner	Art Unit	
	Sara Addisu	3722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to 5/22/06.
- 2. ☒ The allowed claim(s) is/are 2, 3, 5-14.
- 3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 - 1. ☒ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

Claims 2, 3 and 5-14 are allowed.

Regarding independent claims 5, 6 and 8, the closest prior art to the instant invention is Osburn et al. (U.S. Patent No. 3,825,245). Osburn et al. teaches a vertical machining center having a tool slide moving in the Y-axis, a rotary table (27) holding a work-carrying pallet (30), work changer (workpiece feed)(44) that is in alignment with a rotatable work-carrying pallet (30) that moves on guides in the direction of work changer (workpiece feed)(44) ('245, figure 1). Although Osburn et al. fails to teach the rotary table being directly contactable with the workpiece holders to change the workpiece holders and CNC machine controlling the movements of the different machine components, Osburn et al. could be modified by Selander (U.S. Patent No. 4,090,287) and Mattson (U.S. Patent No. 4,480,738). SELANDER teaches a machining center having a tool slide moving in the Y-axis, a rotary table (18) holding a work-carrying pallet (24), workpiece storage support (workpiece feed)(44) that is in alignment with a rotatable work-carrying pallet (24) ('287, figure 1). SELANDER also teaches the rotary table (18) moving on guides (12, 14) such that it lines up with the workpiece storage support (workpiece feed)(44) ('287, figure 1). Furthermore, SELANDER teaches rotary table (18) having a pair of horizontal pallet guideways (20 and 22) dimensioned to slideably receive a workpiece holder pallet (24) and having the same spacing and dimensions as horizontal guideways (46, 48) which are carried by the workpiece

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storage support (44). Guideways (20 and 22) and guideways (46, 48) are mounted at the same height and in position to be aligned therewith along the Z axis so that pallet (24) can be slid along the Z axis from ways (20 and 22) onto ways (46 and 48) ('287, Col. 2, lines 34-36 and Col. 3, lines 9-22). SELANDER also teaches the end of ways (46 and 48) being adjacent to rotary worktable (18) close enough to permit smooth transfer of pallet (24) from rotary worktable (18) to workpiece storage support (44) or vice versa (i.e. rotary table is directly contactable with the workpiece holders to change the workpiece holders). Furthermore, SELANDER teaches controls (not shown) for controlling movements of the machining center, such moving worktable support (16) along the X axis, extending and retracting spindle (34) from spindle head (32), and indexing worktable (18) ('287, Col. 2, lines 59-65). Mattson teaches machine tool control system (20) for controlling the movements of the different components of the machine tool (Col. 4, lines 3-16). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify OSBURN ET AL. such that the rotary table has a pair of horizontal pallet guideways having the same spacing and dimensions OSBURN ET AL.'s horizontal guideways (51,53) which are carried by the workpiece storage support (44) as well as being mounted at the same height so that the workpiece holder/pallet slides from the rotary table to the workpiece feed, as taught by SELANDER for the purpose of having a simpler structure and lower in cost than the complex method taught by OSBURN ET AL. . It should be noted that OSBURN ET AL. utilized more moving parts to perform the same function (to change workpiece holders) such as actuating arms (55 and 66), pistons..etc, which requires more maintenance, parts and

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increased possibility for parts failure. It would have also been obvious to add machine control system (CNC) to control the movements of Osburn et al's invention, as taught by Mattson for the purpose of having displacement measuring systems which detect the positions of the machine slide relative to a zero point so that the actual slide positions can be taken into account for the machining of a workpiece leading to a better quality product/workpiece. Additionally, the use CNC on machines reduces the cycle time to load, machine and unload workparts relative to a workpart-holding spindle of the machine tool.

However, regarding claim 5, Osburn fails to anticipate or make obvious to have a traversable counter-vise to hold the workpiece holder on the side, facing the workpiece feed and facing away from the rotary table. Regarding claim 6, Osburn fails to anticipate or make obvious having a counter-vise that is traversable on guides in the direction of the workpiece feed as well as swivel the workpiece holder 180 degrees between a position facing the rotary table and a position facing the workpiece feed. Regarding claim 8, Osburn fails to anticipate or make obvious having a gripper on the tool slide.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Addisu at (571) 272-6082. The examiner can normally be reached on 8:30 am - 5 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sara Addisu
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Sara Addisu
8/2/06

Monica S. Carter
MONICA CARTER
SUPERVISORY PATENT EXAMINER